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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,455	03/30/2001	John I. Garney	2207/10730	5716

7590 08/06/2004

Kenyon & Kenyon
Suite 600
333 W. San Carlos Street
San Jose, CA 95110-2711

EXAMINER

LEFKOWITZ, SUMATI

ART UNIT	PAPER NUMBER
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2112

DATE MAILED: 08/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Examiner-Initiated Interview Summary

Application No.

09/823,455

Applicant(s)

GARNEY, JOHN I.

Examiner

Sumati Lefkowitz

Art Unit

2112

All Participants:

(1) Sumati Lefkowitz.

(2) Stephen Neal (#.

Status of Application: _____

(3) _____.

(4) _____.

Date of Interview: 30 July 2004

Time: _____

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Claims discussed:

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

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(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Applicant's representative was informed that while the format of the draft affidavit submitted appeared to be proper, the affidavit even if submitted officially, could not be fully considered at this time as its submission would be unseasonable, given that it would be submitted after final, but not for the purpose of overcoming a new ground of rejection or requirement made in the final rejection. See MPEP 715.09 and 716.01. Applicant's representative was informed that an advisory action would be issued in response to the official after final amendment submitted on 6/8/04.

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